

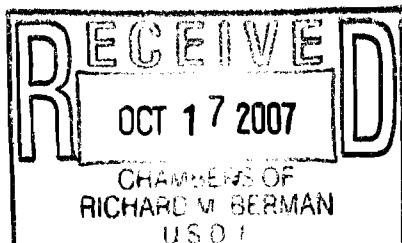
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Please Reply To The Cranford, New Jersey Office

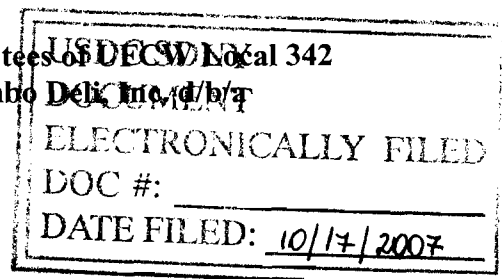
October 16, 2007

VIA FEDERAL EXPRESS OVERNIGHT

Honorable Richard M. Berman, U.S.D.J.
U.S. District Court
Southern District of New York
500 Pearl Street, Room 650
New York, New York 10007-1312

MEMO ENDORSED
P. 2

Re: Richard Abondolo, as Chairman of the Board of Trustees of UFCW Local 342 Health Care Fund v. Jumbo Hero Deli, Inc. a/k/a Jumbo Deli, Inc. d/b/a Charcuterie Delicatessen
Case No. 07-cv-~~0799~~(RMB)(GWG)
7499



Dear Judge Berman:

We represent Petitioner, Richard Abondolo, as Chairman of the Board of Trustees of UFCW Local 342 Health Care Fund, in connection with the above-referenced matter. Pursuant to FRCVP 15(a), we filed an Amended Petition and Complaint with Exhibits A and B via email and Federal Express Overnight with the Clerk (which is currently being processed by the Clerk), adding the following Petitioners to the caption: Richard Abondolo, as Chairman of the Board of Trustees of UFCW Local 50 Pension Fund; and Richard Abondolo, as Chairman of the Board of Trustees of UFCW Local 342 Legal Fund, and also adding additional claims against the Respondent.

Additionally, the Respondent has not filed an answer to the initial Petition.

Based upon the foregoing, we respectfully request an adjournment of the Initial Pre-Trial Conference scheduled for Thursday, October 18, 2007 at 9:15 a.m. for one (1) month in order to allow for the Respondents to file an Answer.

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Furthermore, pursuant to Your Honor's Individual Rules, enclosed please find a courtesy copy of Petitioners' Amended Petition and Complaint along with a courtesy copy of the Affidavit of Service.

Should Your Honor have any questions, please contact our office.

Respectfully submitted,



ANDREW JOHN CALCAGNO

AJC/nem
Enclosures

CONFERENCE ADJOURNED
UNTIL 11/20/07 AT 9:30 A.M.
SO ORDERED:
Date: <u>10/17/07</u> Richard M. Berman
Richard M. Berman, U.S.D.J.

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